

REMARKS

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

Status of the Claims

Claims 1, 2, 4-6, 9 and 10 were rejected.

Claims 3, 7, and 8 were objected to.

Claim 1 has been amended.

No new matter has been added.

Claims 1-10 are currently pending in the present application.

Allowable Subject Matter

Applicants appreciatively acknowledge the Examiner's indication that claims 3, 7 and 8 contain allowable subject matter but are objected to for being dependent on a rejected base claim, and would be allowed if rewritten in independent form. However, in view of the above amendments and following remarks, Applicants respectfully submit that each of the presently pending claims is in condition for allowance.

Rejection Under 35 U.S.C. §102

Claims 1, 2, 6, 9, and 10 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,520,042 to Jammer et al. ("Jammer").

Independent claim 1 has been amended to recite an electric power steering device including elastic bodies, "wherein each elastic body is disposed adjacent to a respective one of the bearings and adjacent to a respective one of the limiting members." Support for this amendment may be found, for example, in Figure 1 of the originally filed disclosure. It is respectfully submitted that Jammer does not suggest or disclose at least this feature of the presently claimed invention.

Jammer describes a steering apparatus for a motor vehicle having a damped worm assist for reducing audible noise. *See* Jammer, col. 1, lines 12-15. The described apparatus includes a

worm 104 having an isolator assembly 112. The isolator assembly 112 includes an elastomeric member 120, which the Examiner compares to the elastic bodies of the presently claimed invention, surrounded by a pair of washers 122 and 124 on both sides of the elastomeric member 120.

In contrast, the presently claimed invention includes elastic bodies “disposed adjacent to a respective one of the bearings and adjacent to a respective one of the limiting members.” As described in the Specification, in an exemplary embodiment, a belleville spring 12 (serving as the elastic body) is positioned between a roller bearing 7 and a limiting member 13. *See* Specification, Figure 1; p. 21, line 23 to p. 22, line 9. This configuration is not disclosed by Jammer, and limits, for example, the amount of deflection of the belleville springs and suppresses the worm from moving in an axial direction. *See* Specification, p. 23 line 20 to p. p. 25, line 10.

Because Jammer does not disclose each and every element of independent claim 1, Jammer cannot anticipate claim 1. Accordingly, for at least the reasons described above, withdrawal of the rejection of claim 1 under 35 U.S.C. §102(b) based on Jammer is respectfully requested.

Claims 2, 6, 9, and 10 depend from claim 1. By virtue of their dependency, Jammer cannot anticipate claims 2, 6, 9, and 10. Accordingly, for at least the reasons described above, withdrawal of the rejection of claims 2, 6, 9, and 10 under 35 U.S.C. §102(b) based on Jammer is respectfully requested.

Rejection Under 35 U.S.C. §103

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Jammer in view of U.S. Publ. No. 2001/0040067 to Murakami et al. (“Murakami”).

Claim 4 depends from claim 1, and Murakami does not cure the deficiencies of Jammer.

Accordingly, for at least the reasons described above, withdrawal of the rejection of claim 4 under 35 U.S.C. §103(a) based on Jammer and Murakami is respectfully requested.

Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Jammer and Murakami, and further in view of International Publication No. WO/1994/027057 to Takata (“Takata”).

Claim 5 depends from claim 1, and Takata does not cure the deficiencies of Jammer and Murakami.

Accordingly, for at least the reasons described above, withdrawal of the rejection of claim 5 under 35 U.S.C. §103(a) based on Jammer, Murakami, and Takata is respectfully requested.

CONCLUSION

Each and every point raised in the Office Action dated September 12, 2008 has been addressed on the basis of the foregoing amendments and remarks. In view of the foregoing, it is believed that each of the pending claims is in condition for allowance, and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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